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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/557,991

04/25/2000

Susie J. Wee

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10/22/2004

IP Administration  
Legal Department 20BN  
Hewlett-Packard Company  
P O Box 10301  
Palo Alto, CA 94303-0890

EXAMINER

AN, SHAWN S

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/557,991

Applicant(s)

WEE ET AL.

Examiner

Shawn S An

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 11-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-30 is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Response to Amendment***

1. As per Applicant's instructions in Paper 9 as filed on 10/23/03, claims 21 and 25 have been amended.

### ***Response to Appeal brief***

2. Applicant's arguments with respect to claims 11-20 as discussed in the Appeal Brief as filed on 8/27/04 are considered moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer (5,502,493) in view of Bailleul (6,181,743 B1) and Minami et al (6,380,986 B1).

**Regarding claim 11**, Meyer discloses a method of processing bitstream representing a compressed image frame sequence, and apparatus, comprising:  
receiving for each frames identifying a subset of image slices for the frame,  
wherein the subsets are independently encoded from other image slices, such that any motion vector point to an identified subset (inherency emphasized) of another frame (Fig. 5; col. 8, lines 63-67; col. 9, lines 1-15);

decodings the subsets (col. 9, lines 1-15); and  
encoding image slices from decoded data (Fig. 4a).

Meyer fails to disclose:

selectively editing decoded data,

encoding new image slices from decoded data and edited data; and  
inserting the new image slices into the bitstream and generating a representative  
an output signal.

However, Bailleul teaches:  
selectively editing decoded data (Fig. 5),  
encoding new image slices from the decoded data and edited data (Fig. 5,  
encoder); and  
inserting the new image slices into the bitstream (Fig. 5, A) and generating a  
representative an output signal (Fig. 5, VLC).

Furthermore, to provide a support for the inherency feature as stated above,  
Minami et al teaches motion vector searching method comprising the concept of motion  
vector pointing to an identified subset (slice) of another frame (Fig. 10, S55).

Therefore, it would clearly have been obvious that a person of ordinary skill in the  
art employing Meyer's reference including the well known inherent feature to  
incorporate the editing concept/method as taught by Bailleul for an efficient  
editing/splicing operation.

**Regarding claim 12**, Bailleul discloses MPEG 2 (col. 1, lines 15-16).

**Regarding claims 13, 15-16, and 20**, as discussed above, identifying position  
of slice layer or total number of slice layer which includes one or more macroblocks  
arranged in the horizontal direction is well known in the MPEG encoding format.

Therefore, the Examiner takes official notice that it would have been considered  
obvious to identify image slices associated with the subset or one of an object, or fixed  
spatial region across image frames for a well known reason of editing. Furthermore, it  
would also have been considered obvious to insert new information identifying slices of  
the subset into a frame header of the output signal so as to accommodate such as  
insertion of logos.

**Regarding claim 14**, Bailleul discloses inserting a logo (Fig. 5, Logo(n)) and  
generating TV broadcast signal (col. 1, lines 5-17).

**Regarding claims 17-18**, the Examiner takes official notice that a color  
correction, mixing images, a scaling, and cropping on image data as part of editing

process is well known and conventional in the art. Therefore, it would have been obvious to employ Bailleul's editing method so as to perform conventional color correction, mixing images, a scaling, or cropping on image data so as to make necessary corrections on the edited data.

Furthermore, Bailleul discloses encoding decoded data and edited data including compressing and coding decompressed data and edited data to generate new image slices (Fig. 5).

**Regarding claim 19**, the Examiner takes official notice that setting up a bitstream parameter is well known in the art for an efficient rate control (note: Wee et al, 6,104,441).

#### ***Allowable Subject Matter***

5. Claims 21-30 are allowed as discussed in the last Official action as Paper 11.

#### ***Conclusion***

6. The prior art made of record is considered pertinent to applicant's disclosure.

A) Johnston et al (5,128,756), High definition television coding arrangement with graceful degradation.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Shawn S An** whose telephone number is 703-305-0099. The examiner can normally be reached on Flex hours (10).

8. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SSA

Primary Patent Examiner

10/20/04